IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No. 3053 of 1994

For Approval and Signature:

HONOURABLE MR.JUSTICE D.H.WAGHELA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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VINOD BHATT - Applicant(s)
Versus
DR. ASHOK CHANDULAL VORA & 1 - Respondent(s)

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Appearance :
MR JIVANLAL G SHAH for Applicant(s) : 1,NANAVATI & NANAVATI for Applicant(s) : 1,
NOTICE SERVED for Respondent(s) : 1,
Mr HL Jani, Addl.PUBLIC PROSECUTOR for Respondent(s) : 2,

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CORAM : HONOURABLE MR.JUSTICE D.H.WAGHELA

Date : 09/05/2007

ORAL JUDGMENT

1. The petitioner, accused No.4 in Criminal Case No. 1191 of 1993, has approached this court for quashing the process issued in that criminal case on

the basis of the complaint of respondent No.1 for the offences punishable under sections 499 and 500 read with section 114 of Indian Penal Code, 1860. Summons was, however, issued only for the offence under section 500 of the Indian Penal Code. It is stated on behalf of the contesting parties, on their instructions, by the learned counsel, that the parties have amicably settled the original dispute arising out of the alleged defamation of the complainant and it was agreed that an apology, the draft of which was approved by learned counsel for the respondent, would be published in the daily printed, edited and published by the other accused persons.

2. Therefore, on the basis of the above understanding, it was jointly requested that the petition be allowed so as to quash the complaint itself and close the unnecessary criminal proceedings pending in the trial court. Accordingly, learned APP having no objection, the petition is **allowed** by joint request of the contesting parties with the direction that Criminal Case No.1191/93 pending in the court of

learned Metropolitan Magistrate, Ahmedabad and all the orders made therein shall stand quashed. Rule is made absolute accordingly with no order as to costs.

sd/-
[D. H. Waghela, J.]

msp